

108TH CONGRESS  
2D SESSION

# H. R. 5061

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IN THE SENATE OF THE UNITED STATES

OCTOBER 8, 2004

Received

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## AN ACT

To provide assistance for the current crisis in the Darfur region of Sudan and to facilitate a comprehensive peace in Sudan.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Comprehensive Peace  
3 in Sudan Act”.

4 **SEC. 2. DEFINITIONS.**

5       In this Act:

6           (1) **APPROPRIATE CONGRESSIONAL COMMIT-**  
7 **TEES.**—The term “appropriate congressional com-  
8 mittees” means the Committee on International Re-  
9 lations of the House of Representatives and the  
10 Committee on Foreign Relations of the Senate.

11          (2) **JEM.**—The term “JEM” means the Justice  
12 and Equality Movement.

13          (3) **SPLM.**—The term “SPLM” means the  
14 Sudan People’s Liberation Movement.

15          (4) **SLA.**—The term “SLA” means the Sudan  
16 Liberation Army.

17          (5) **GOVERNMENT OF SUDAN.**—The term “Gov-  
18 ernment of Sudan” means the National Islamic  
19 Front-led government in Khartoum, Sudan, or any  
20 successor government formed on or after the date of  
21 the enactment of this Act (other than the coalition  
22 government agreed upon in the Nairobi Declaration  
23 on the Final Phase of Peace in the Sudan).

24 **SEC. 3. FINDINGS.**

25       Congress makes the following findings:

1           (1) Since seizing power through a military coup  
2           in 1989, the Government of Sudan repeatedly has  
3           attacked and dislocated civilian populations in south-  
4           ern Sudan in a coordinated policy of ethnic cleansing  
5           that has cost the lives of over 2,000,000 people and  
6           displaced more than 4,000,000 people.

7           (2) The Governments of the United States, the  
8           United Kingdom, and Norway each have committed  
9           significant resources to promote an internationally  
10          supported peace process between the Government of  
11          Sudan and the Sudan People's Liberation Movement  
12          (SPLM), under the auspices of the Inter-Govern-  
13          mental Authority on Development.

14          (3) Following the signing of the Machakos  
15          Agreement in July 2002, the Government of Sudan  
16          and the SPLM reached a number of important  
17          agreements on issues such as self-determination, se-  
18          curity arrangements, and wealth and power sharing,  
19          culminating in a final framework agreement, the  
20          Nairobi Declaration on the Final Phase of Peace in  
21          the Sudan, signed on June 5, 2004.

22          (4) In early 2003, while the Government of  
23          Sudan and the SPLM were negotiating for a final,  
24          country-wide peace, armed conflict between forces of  
25          the Government of Sudan, including militia forces

1 backed by the Government, and rebel forces, includ-  
2 ing the Sudan Liberation Army (SLA) and the Jus-  
3 tice and Equality Movement (JEM), began in the  
4 Darfur region of western Sudan.

5 (5) Evidence collected by international observ-  
6 ers in the Darfur region between February 2003 and  
7 September 2004 indicate a coordinated effort to tar-  
8 get African Sudanese civilians in a scorched earth  
9 policy, similar to that which was employed in south-  
10 ern Sudan, that has destroyed African Sudanese vil-  
11 lages, killing and driving away its people, while Arab  
12 Sudanese villages have been left unscathed.

13 (6) As a result of this campaign, which the  
14 United States Congress and executive branch have  
15 declared to be genocide, an estimated 50,000 people  
16 have been killed, 1,200,000 people have been inter-  
17 nally displaced, and 200,000 people have been forced  
18 to flee to neighboring Chad.

19 (7) Reports further indicate the systematic rape  
20 of thousands of women and girls, the abduction of  
21 women and children, and the destruction of hun-  
22 dreds of ethnically African villages, including the  
23 poisoning of their wells and the plunder of their  
24 crops and cattle upon which the people of such vil-  
25 lages sustain themselves.

1           (8) The Government of Sudan conducted aerial  
2       attack missions and deadly raids across the inter-  
3       national border between Sudan and Chad in an ille-  
4       gal effort to pursue Sudanese civilians seeking ref-  
5       uge in Chad.

6           (9) In addition to the thousands of violent  
7       deaths directly caused by ongoing Sudanese military  
8       and government sponsored militia attacks in the  
9       Darfur region, the Government of Sudan has re-  
10      stricted humanitarian access to the region, primarily  
11      through bureaucratic and administrative obstruction,  
12      in an attempt to inflict the most devastating harm  
13      on those individuals displaced from their villages and  
14      homes without any means of sustenance or shelter.

15          (10) The Government of Sudan's continued  
16      support for the Janjaweed militias and their ob-  
17      struction of the delivery of food, shelter, and medical  
18      care to the Darfur region is estimated by the World  
19      Health Organization to be resulting in up to 10,000  
20      deaths per month and, should current trends con-  
21      tinue, is projected to escalate to thousands of deaths  
22      each day by December 2004.

23          (11) The United Nations Special Rapporteur on  
24      Extrajudicial, Summary or Arbitrary Executions  
25      stated in a recent report to the United Nations Sub-

1 Commission on Human Rights that “[i]t is beyond  
2 doubt that the [G]overnment of Sudan is responsible  
3 for extrajudicial and summary executions of large  
4 numbers of people over the last several months in  
5 the Darfur region”, and that “[t]he current humani-  
6 tarian disaster unfolding in Darfur, for which the  
7 government is largely responsible, has put millions of  
8 civilians at risk”.

9 (12) Attacks on civilians in the Darfur region  
10 continue despite an April 8, 2004, temporary cease-  
11 fire agreement reached between the Government of  
12 Sudan and the JEM and SLA rebel groups in  
13 N’Djamena, Chad.

14 (13) The United Nations High Commissioner  
15 for Human Rights identified “massive human rights  
16 violations in Darfur perpetrated by the Government  
17 of Sudan and the Janjaweed, which may constitute  
18 war crimes and/or crimes against humanity”.

19 (14) On July 22, 2004, the United States  
20 House of Representatives and Senate both declared  
21 that the atrocities unfolding in Darfur, Sudan are  
22 genocide.

23 (15) On September 9, 2004, Secretary of State  
24 Colin L. Powell stated before the Committee on For-  
25 eign Relations of the Senate: “When we reviewed the

1 evidence compiled by our team, along with other in-  
2 formation available to the State Department, we  
3 concluded that genocide has been committed in  
4 Darfur and that the Government of Sudan and the  
5 [Janjaweed] bear responsibility—and genocide may  
6 still be occurring.”.

7 (16) On July 30, 2004, the United Nations Se-  
8 curity Council passed Resolution 1556, calling upon  
9 the Government of Sudan to disarm the Janjaweed  
10 militias, apprehend and bring to justice Janjaweed  
11 leaders and their associates who have incited and  
12 carried out violations of human rights and inter-  
13 national humanitarian law, as well as other atroc-  
14 ities in the Darfur region.

15 (17) On September 18, 2004, the United Na-  
16 tions Security Council passed Resolution 1564, de-  
17 termining that the Government of Sudan had failed  
18 to meet its obligations under Resolution 1556, call-  
19 ing for a military flight ban in and over the Darfur  
20 region, demanding the names of Janjaweed militia-  
21 men disarmed and arrested for verification, estab-  
22 lishing an International Commission of Inquiry into  
23 violations of international humanitarian and human  
24 rights laws, and threatening sanctions should the

1 Government of Sudan fail to fully comply with Secu-  
2 rity Council Resolutions 1556 and 1564.

3 (18) The African Union's commitment to con-  
4 flict resolution and peacekeeping on the continent,  
5 and its mandate to prevent genocide, has led the or-  
6 ganization to engage in both political and military  
7 action in an effort to end the conflict in the Darfur  
8 region.

9 (19) The SPLM should seek to play a construc-  
10 tive role in bringing about a political settlement be-  
11 tween the Government of Sudan, the SLA, and the  
12 JEM.

13 (20) Practical implementation of a comprehen-  
14 sive peace agreement for Sudan, as envisioned in the  
15 Sudan Peace Act (50 U.S.C. 1701 note), and in the  
16 Machakos Protocol of 2002, is hampered by the on-  
17 going violence in the Darfur region and by the Gov-  
18 ernment of Sudan's complicity in the violence.

19 (21) The Government of Sudan's complicity in  
20 the atrocities in the Darfur region raises funda-  
21 mental questions about the Government of Sudan's  
22 commitment to peace and stability in Sudan.



1 **SEC. 4. SENSE OF CONGRESS REGARDING GENOCIDE AND**  
2 **THE CONFLICT IN DARFUR, SUDAN.**

3 (a) SUDAN PEACE ACT.—It is the sense of Congress  
4 that the Sudan Peace Act (50 U.S.C. 1701 note) remains  
5 relevant and should be extended to include the Darfur re-  
6 gion of Sudan.

7 (b) ACTIONS TO ADDRESS GENOCIDE AND THE CON-  
8 FFLICT IN DARFUR.—It is the sense of Congress that—

9 (1) the atrocities unfolding in the Darfur region  
10 of Sudan are genocide;

11 (2) the Government of Sudan has violated the  
12 Convention on the Prevention and Punishment of  
13 the Crime of Genocide, signed at Paris on December  
14 9, 1948, to which it is a contracting party, as a re-  
15 sult of its complicity in the violence in the Darfur  
16 region;

17 (3) a legitimate countrywide peace in Sudan  
18 will only be possible if the principles enumerated in  
19 the 1948 Universal Declaration of Human Rights,  
20 as affirmed in the Machakos Protocol of 2002, and  
21 the Nairobi Declaration on the Final Phase of Peace  
22 in the Sudan, are applied to all of Sudan, including  
23 the Darfur region;

24 (4) the parties to the Humanitarian Ceasefire  
25 on the Conflict in Darfur (the Government of  
26 Sudan, the SLA, and the JEM), signed in

1 N'Djamena, Chad, on April 8, 2004, must meet  
2 their obligations under that agreement, including—

3 (A) to give up the use of force as a means  
4 of settling the conflict in the Darfur region;

5 (B) to allow safe and immediate access for  
6 the provision of humanitarian assistance  
7 throughout the Darfur region;

8 (C) to allow the deployment of and cooper-  
9 ate with international monitors and security  
10 forces; and

11 (D) to expedite the conclusion of a political  
12 agreement to end the conflict in the Darfur re-  
13 gion;

14 (5) the President should impose targeted sanc-  
15 tions on the assets and activities of those Sudanese  
16 Government officials and other individuals who are  
17 determined to be involved in planning, carrying out,  
18 or otherwise involved in the policy of genocide in the  
19 Darfur region, as well as on the assets and activities  
20 of businesses controlled by the Government of Sudan  
21 and the National Congress Party;

22 (6) the United States Government should not  
23 normalize relations with Sudan, including through  
24 the lifting of any sanctions, until the Government of  
25 Sudan agrees to and takes demonstrable steps to im-

1       plement a comprehensive peace agreement for all  
2       areas of Sudan, including the Darfur region;

3           (7) the United States and the international  
4       community should use all necessary means to assist  
5       international monitors and security forces in the  
6       Darfur region, particularly the African Union moni-  
7       toring team, in order to ensure an appropriate inter-  
8       national response to the crisis in the Darfur region;

9           (8) the United States should continue to pro-  
10      vide humanitarian assistance to the areas of Sudan  
11      to which the United States has access and, at the  
12      same time, implement a plan to provide assistance to  
13      the areas of Sudan to which access has been ob-  
14      structed or denied;

15          (9) the President should appoint a new Special  
16      Presidential Envoy for Peace in the Sudan to com-  
17      plement and continue the work of former Senator  
18      John C. Danforth, who shall be tasked with assist-  
19      ing all parties to the conflict in Sudan, including in  
20      the Darfur region, to achieve a just, comprehensive,  
21      and permanent peace in Sudan;

22          (10) the member states of the United Nations,  
23      particularly the member states from the African  
24      Union, the Arab League, and the Organization of  
25      the Islamic Conference, should undertake urgent

1 measures to prevent the genocide in the Darfur re-  
2 gion from escalating further, including the imposi-  
3 tion of targeted sanctions against those responsible  
4 for the atrocities; and

5 (11) the international community, including Af-  
6 rican, Arab, and Muslim nations, should immediately  
7 provide logistical, financial, in-kind, and personnel  
8 resources necessary to save the lives of hundreds of  
9 thousands of individuals at risk as a result of the  
10 Darfur crisis.

11 **SEC. 5. AMENDMENTS TO THE SUDAN PEACE ACT.**

12 (a) ASSISTANCE FOR THE CRISIS IN DARFUR AND  
13 FOR COMPREHENSIVE PEACE IN SUDAN.—

14 (1) IN GENERAL.—The Sudan Peace Act (50  
15 U.S.C. 1701 note) is amended by adding at the end  
16 the following new section:

17 **“SEC. 12. ASSISTANCE FOR THE CRISIS IN DARFUR AND**  
18 **FOR COMPREHENSIVE PEACE IN SUDAN.**

19 “(a) ASSISTANCE TO SUPPORT A COMPREHENSIVE  
20 FINAL PEACE AGREEMENT IN SUDAN AND TO RESPOND  
21 TO THE HUMANITARIAN CRISIS IN DARFUR.—

22 “(1) AUTHORITY.—Subject to the requirements  
23 of this section, the President is authorized to provide  
24 assistance for Sudan—

1           “(A) to support the implementation of a  
2           comprehensive peace agreement that applies to  
3           all regions of Sudan, including the Darfur re-  
4           gion; and

5           “(B) to address the humanitarian and  
6           human rights crisis in the Darfur region and  
7           eastern Chad, including to support the African  
8           Union mission in the Darfur region of Sudan.

9           “(2) REQUIREMENT FOR CERTIFICATION.—  
10          Notwithstanding section 501(a) of the Assistance for  
11          International Malaria Control Act (Public Law 106–  
12          570; 50 U.S.C. 1701 note), assistance authorized  
13          under this section may be provided to the Govern-  
14          ment of Sudan only if the President transmits the  
15          certification described in paragraph (3).

16          “(3) CERTIFICATION FOR THE GOVERNMENT  
17          OF SUDAN.—The certification referred to in para-  
18          graph (2) is a certification transmitted by the Presi-  
19          dent to the appropriate congressional committees  
20          that the Government of Sudan has taken demon-  
21          strable steps to—

22                 “(A) ensure that the armed forces of  
23                 Sudan and any associated militias are not com-  
24                 mitting atrocities or obstructing human rights

1 monitors or the provision of humanitarian as-  
2 sistance;

3 “(B) demobilize and disarm militias sup-  
4 ported or created by the Government of Sudan;

5 “(C) allow full and unfettered humani-  
6 tarian assistance to all regions of Sudan, in-  
7 cluding Darfur;

8 “(D) allow an international commission of  
9 inquiry to conduct its investigation of atrocities  
10 in the Darfur region and Khartoum, preserve  
11 evidence of atrocities and prosecute those re-  
12 sponsible for war crimes, crimes against hu-  
13 manity, and genocide;

14 “(E) cooperate fully with the African  
15 Union and all other observer and monitoring  
16 missions mandated to operate in Sudan;

17 “(F) ensure the safe return of displaced  
18 persons and refugees to their homes and rebuild  
19 the communities destroyed in the violence;

20 “(G) implement the Nairobi Declaration on  
21 the Final Phase of Peace in the Sudan; and

22 “(H) install a new coalition government  
23 based on the agreements reached in the Nairobi  
24 Declaration on the Final Phase of Peace in the  
25 Sudan.

1           “(4) SUSPENSION OF ASSISTANCE.—If, on a  
2           date after the President transmits the certification  
3           described in paragraph (3), the President determines  
4           that the Government of Sudan has ceased taking the  
5           actions described in such paragraph, the President  
6           shall immediately suspend the provision of any as-  
7           sistance to such Government until the date on which  
8           the President transmits to the appropriate congres-  
9           sional committees a further certification that the  
10          Government of Sudan has resumed taking such ac-  
11          tions.

12           “(5) AUTHORIZATION OF APPROPRIATIONS.—

13           “(A) IN GENERAL.—In addition to any  
14           other funds otherwise available for such pur-  
15           poses, there are authorized to be appropriated  
16           to the President—

17                   “(i) \$100,000,000 for each of the fis-  
18                   cal years 2005, 2006, and 2007 to carry  
19                   out paragraph (1)(A); and

20                   “(ii) \$150,000,000 for fiscal year  
21                   2005 to carry out paragraph (1)(B).

22           “(B) AVAILABILITY.—Amounts appro-  
23           priated pursuant to the authorization of appro-  
24           priations under subparagraph (A) are author-  
25           ized to remain available until expended.

1       “(b) GOVERNMENT OF SUDAN DEFINED.—In this  
2 section, the term ‘Government of Sudan’ means the Na-  
3 tional Islamic Front government in Khartoum, Sudan, or  
4 any successor government formed on or after the date of  
5 the enactment of the Comprehensive Peace in Sudan Act  
6 (other than the coalition government agreed upon in the  
7 Nairobi Declaration on the Final Phase of Peace in the  
8 Sudan).”.

9           (2) CONFORMING AMENDMENT.—Section 3(2)  
10 of such Act is amended by striking “The” and in-  
11 serting “Except as provided in section 12, the”.

12       (b) REPORTING REQUIREMENT.—Section 8 of the  
13 Sudan Peace Act (50 U.S.C. 1701 note) is amended in  
14 the first sentence by striking “Sudan” and inserting  
15 “Sudan, including the conflict in the Darfur region”.

16 **SEC. 6. SANCTIONS IN SUPPORT OF PEACE IN DARFUR.**

17       (a) SANCTIONS.—Beginning on the date of the enact-  
18 ment of this Act, the President shall, notwithstanding  
19 paragraph (1) of section 6(b) of the Sudan Peace Act (50  
20 U.S.C. 1701 note), implement the measures set forth in  
21 subparagraphs (A) through (D) of paragraph (2) of such  
22 section.

23       (b) SUSPENSION OF SANCTIONS.—The President  
24 may suspend the application of subsection (a) if the Presi-  
25 dent transmits to the appropriate congressional commit-



tees a certification in accordance with paragraph (3) of section 12(a) of the Sudan Peace Act (as added by section 5(a)(1) of this Act).

(c) REINSTATEMENT OF SANCTIONS.—The President shall reinstate the sanctions listed in subsection (a) that have been suspended under subsection (b) if at any time the President determines and certifies to the appropriate congressional committees that the Government of Sudan is no longer in compliance with any of the criteria listed in subparagraphs (A) through (H) of section 12(a)(3) of the Sudan Peace Act (as added by section 5(a)(1) of this Act).

(d) WAIVER.—The President may waive the application of subsection (a) if the President determines and certifies to the appropriate congressional committees that such a waiver is in the national interest of the United States.

(e) CONTINUATION OF RESTRICTIONS.—Restrictions against the Government of Sudan that were imposed pursuant to title III and sections 508, 512, and 527 of the Foreign Operations, Export Financing, and Related Programs Act, 2004 (division D of Public Law 108–199; 118 Stat. 143), or any other similar provision of law, may not be lifted pursuant to such provisions of law unless the President transmits a certification to the appropriate con-

gressional committees in accordance with paragraph (3) of section 12(a) of the Sudan Peace Act (as added by section 5(a)(1) of this Act).

**SEC. 7. DISCLOSURE OF BUSINESS ACTIVITIES IN SUDAN.**

(a) ANNUAL REPORT TO CONGRESS.—The Secretary of the Treasury shall, not later than 180 days after the date of the enactment of this Act, and not later than the end of each 1-year period thereafter, submit to Congress a report that includes—

(1) the identity of all entities that are engaged in commercial activity in Sudan;

(2) the nature and extent of that commercial activity in Sudan, including any plans for expansion or diversification;

(3) the identity of all agencies of the Sudanese Government with which any such entity is doing business; and

(4) the relationship of the commercial activity to any violations of religious freedom and other human rights in Sudan.

(b) DISCLOSURE TO THE PUBLIC.—The Secretary of the Treasury shall publish or otherwise make available to the public each report submitted under subsection (a).

1 **SEC. 8. MULTILATERAL EFFORTS.**

2 The President, acting through the United States Per-  
3 manent Representative to the United Nations, should—

4 (1) press the United Nations Security Council  
5 to pursue accountability for those who are found re-  
6 sponsible for orchestrating and carrying out the  
7 atrocities in the Darfur region, consistent with  
8 United Nations Security Council Resolutions 1556  
9 (July 30, 2004) and 1564 (September 18, 2004);

10 (2) encourage member states of the United Na-  
11 tions to—

12 (A) freeze the assets of senior members of  
13 the Government of Sudan and their families  
14 held in each such member state;

15 (B) cease to import Sudanese oil;

16 (C) restrict the entry or transit of senior  
17 members of the Government of Sudan and their  
18 families through each such member state; and

19 (D) deny permission for any aircraft reg-  
20 istered in Sudan to take off from, land in, or  
21 overfly each such member state; and

22 (3) urge member states of the United Nations  
23 to cease selling arms to the Government of Sudan,  
24 including by—

25 (A) taking the necessary measures to pre-  
26 vent the sale or supply to armed elements act-

1 ing within the territory of Sudan, including the  
2 Government of Sudan, the Janjaweed and the  
3 Popular Defense Forces, by the nationals of  
4 such member states, from the territories of  
5 such member states, or through the use of flag  
6 vessels or aircraft of such member states, of  
7 arms and related materiel of all types, including  
8 weapons and ammunition, military vehicles and  
9 equipment, paramilitary equipment, and spare  
10 parts, as well as technical training or assistance  
11 related to the provision, manufacture, maintenance  
12 or use of such items, whether or not originating  
13 in the territories of such member states;  
14 and

15 (B) ensuring that the measures imposed in  
16 subparagraph (A) shall not apply to—

17 (i) supplies and related technical  
18 training and assistance to monitoring,  
19 verification, or peace support operations,  
20 including such operations led by regional  
21 organizations, that are authorized by the  
22 United Nations or are operating with the  
23 consent of the relevant parties;

24 (ii) supplies of non-lethal military  
25 equipment intended solely for humani-

1           tarian, human rights monitoring or protec-  
2           tive use, and related technical training and  
3           assistance; and

4           (iii) supplies of protective clothing, in-  
5           cluding flak jackets and military helmets,  
6           for the personal use of United Nations or  
7           African Union personnel, human rights  
8           monitors, representatives of the media and  
9           humanitarian and development workers  
10          and associated personnel.

11 **SEC. 9. REPORT ON UNITED STATES RESPONSE TO A COM-**  
12 **PREHENSIVE PEACE AGREEMENT FOR**  
13 **SUDAN.**

14       (a) REPORT.—Not later than 60 days after the date  
15 of enactment of this Act, the President shall transmit to  
16 the appropriate congressional committees a report on the  
17 planned United States response to a comprehensive peace  
18 agreement for Sudan.

19       (b) CONTENT.—The report required by subsection  
20 (a) shall include—

21           (1) a description of steps taken by the United  
22 States to respond to a modified peace process be-  
23 tween the Government of Sudan and the SPLM that  
24 would account for the implementation of peace in all  
25 regions of Sudan, in particular Darfur;

1           (2) a contingency plan for extraordinary hu-  
2           manitarian assistance should the Government of  
3           Sudan continue to obstruct or delay the inter-  
4           national humanitarian response to the crisis in  
5           Darfur, Sudan;

6           (3) if applicable, a notification and explanation  
7           of the President's intention to decline to impose tar-  
8           geted sanctions on the assets and activities of those  
9           Sudanese government officials and other individuals  
10          that are involved in carrying out the policy of geno-  
11          cide in the Darfur region, as well as on the assets  
12          and activities of businesses controlled by the Govern-  
13          ment of Sudan and the National Congress Party;  
14          and

15          (4) if applicable, a notification and explanation  
16          of the Government of the United States' intention to  
17          normalize relations with Sudan, including through  
18          the lifting of any sanctions, until the Government of  
19          Sudan agrees to and implements a comprehensive  
20          peace agreement for all areas of Sudan, including  
21          Darfur.

22          (c) FORM OF REPORT.—The report required by sub-  
23          section (a) may be transmitted in classified form.

1 **SEC. 10. ADDITIONAL AUTHORITIES; EXCEPTION TO EX-**  
2 **PORT PROHIBITIONS.**

3 (a) **ADDITIONAL AUTHORITIES.**—Notwithstanding  
4 any other provision of law, the President is authorized to  
5 undertake appropriate programs using Federal agencies,  
6 grants or contractual arrangements, or direct support of  
7 indigenous groups, agencies, or organizations in areas out-  
8 side of control of the Government of Sudan in an effort  
9 to provide emergency relief, promote economic self-suffi-  
10 ciency, build civil authority, provide education, enhance  
11 rule of law and the development of judicial and legal  
12 frameworks, support people-to-people reconciliation ef-  
13 forts, or implement any program in support of any viable  
14 peace agreement at the local, regional, or national level  
15 in Sudan.

16 (b) **EXCEPTION TO EXPORT PROHIBITIONS.**—Not-  
17 withstanding any other provision of law, the prohibitions  
18 set forth with respect to Sudan in Executive Order No.  
19 13067 of November 3, 1997 (62 Fed. Reg. 59989), shall  
20 not apply to any export from an area in Sudan outside  
21 of the control of the Government of Sudan, or to any nec-  
22 essary transaction directly related to that export, if the  
23 President determines that the export or related trans-  
24 action, as the case may be, would directly benefit the eco-  
25 nomic development of that area and its people.

1 **SEC. 11. TECHNICAL AMENDMENT.**

2       Section 12 of the International Organizations Immu-  
3 nities Act (22 U.S.C. 288f–2) is amended by striking “Or-  
4 ganization of African Unity” and inserting “African  
5 Union”.

        Passed the House of Representatives October 7,  
2004.

Attest:

JEFF TRANDAHL,

*Clerk.*